

REMARKS

This Response is submitted in reply to the Final Office Action dated June 1, 2006. Claims 1, 5, 6, 12, 19, 21, 27, 31, 35, 36 and 40 have been amended. No new matter has been added by the amendments. No fee is due in connection with this Response; however, please charge Deposit Account No. 02-1818 for any fees due in connection with this Response.

The Office Action rejected:

- (1) Claims 21 to 40 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,996,997 to Kamille ("Kamille"); and
- (2) Claims 1 to 20 under 35 U.S.C. §103(a) as being unpatentable over *Kamille* in view of European Patent No. 0945837 A2 to Thomas et al. ("Thomas").

Applicants respectfully disagrees. Nevertheless, Applicants have amended the claims and submit that the rejections have been overcome, and the claims are in condition for allowance for at least the reasons set forth below.

Claim 1 has been amended to clarify that it is not until after an eliminator selection is picked in a play of a bonus game that at least one of the other remaining unpicked and non-eliminated selections is picked by a processor to be eliminated in the play of the bonus game.

Claim 12 has been amended to clarify that it is not until after a player picks an eliminator selection in a play of a game that at least one of the other remaining unpicked and non-eliminated selections is picked to be eliminated in the play of the game.

Claim 19 has been amended to clarify that it is not until after an eliminator selection is picked in a play of a game that at least one of the other remaining unpicked and non-eliminated selections is picked to be eliminated in the play of the game.

Claims 21 and 27 have been amended to clarify that if a player picks an eliminator selection in a play of a game, it is not until after the eliminator selection is

picked that the method includes picking at least one of the other remaining unpicked and non-eliminated selections to be eliminated from subsequently being picked in the play of the game.

Claim 31 has been amended to clarify that, if an eliminator selection is picked in a play of a game, it is not until after the eliminator selection is picked that at least one of the other remaining unpicked and non-eliminated selections is picked by a processor to be eliminated from further selection in the play of the game.

Claim 40 has been amended to clarify that, if an eliminator selection is picked in a play of a game it is not until after the eliminator selection is picked that the method includes picking at least one of the other remaining unpicked and non-eliminated selections to be eliminated from subsequently being picked in the play of the game.

Kamille does not teach or suggest that an unpicked and non-eliminated selections is picked by a processor to be eliminated after an eliminator selection is picked. In contrast to the claimed invention, *Kamille* discloses a selection game with multiple play areas arranged in a grid. As discussed in the previous Response to the Office Action dated August 3, 2005, each play area has a win, a void or a directional in a predetermined and fixed association with the play areas. The directionals direct the player to pick other play areas which may have another directional, a win or a void associated with the play area. Any play area that is picked is picked by a player.

The Office Action interprets a play area in *Kamille* to be an eliminator selection if the player-picked play area precludes the picking of another play area. The Office Action seems to further suggest that a play area is eliminated from being picked if the player cannot be directed by the directionals of one or more play areas connecting the picked play area with that play area. Even if *Kamille* can be interpreted to suggest a selection that eliminates another selection from being picked, any play area eliminated which will be eliminated from being picked based on picks of other selections in *Kamille* is predetermined and fixed prior to the beginning of the game and before any selection is picked. Regardless of which embodiment is employed or what arrangement is

adopted in *Kamille*, any selections to be eliminated when a player picks another selection is predetermined and is not picked to be eliminated after a selection is picked.

Therefore, *Kamille* does not teach or suggest that at least one of the other remaining unpicked and non-eliminated selections is picked by a processor to be eliminated after an eliminator selection is picked as in Claim 1. For at least these reasons, *Kamille* is also deficient with respect to Claims 12, 19, 21, 27, 31 and 40.

Furthermore, *Thomas* fails to cure the deficiencies of *Kamille* as discussed above. Accordingly, Applicants respectfully submit that one of skill in the art would not have been motivated to modify *Kamille* or to combine *Thomas* with *Kamille* to arrive at the claimed invention and that Claims 1, 12, 19, 21, 27, 31 and 40, and the claims which depend therefrom, are in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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